

Original Application  
 PCT National Application  
U.S. Designated Office  
 Continuation-in-Part Application

**COMBINED DECLARATION,  
POWER OF ATTORNEY AND PETITION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,  
Metrol Technology Limited, Unit 24, Kirkhill Place, Kirkhill Industrial Estate,  
Dyce, ABERDEEN AB2 0GU  
I believe I am the original, first and sole inventor (if only one name is listed below) or an original,  
first and joint inventor (if plural names are listed below) of the subject matter which is claimed  
and for which a patent is sought on the invention entitled \_\_\_\_\_

"Transmission of Data in Boreholes"

which is described in the specification and claims

attached hereto.

filed on \_\_\_\_\_ as

Application Serial No. \_\_\_\_\_

and was amended on \_\_\_\_\_

(if applicable)

which is described in international application no. PCT/GB91/01599

filed 18 September 1991 and as amended on

11 June 1991 (if any), which I have

reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above identified  
specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this  
application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I do not know and do not believe that the same was ever known or used in the United States before  
my or our invention thereof or patented or described in any printed publication in any country  
before my or our invention thereof or more than one year prior to this application or said  
international application, that the same was not in public use or on sale in the United States of  
America more than one year prior to this application or said international application, that the  
invention has not been patented or made the subject of an inventor's certificate issued before the  
date of this application or said international application in any country foreign to the United States  
of America on an application filed by me or my legal representatives or assigns more than twelve  
months prior to this application or said international application and that no application for patent  
or inventor's certificate on this invention has been filed in any country foreign to the United States  
of America prior to this application or said international application by me or my legal representatives  
or assigns except as identified below.

COMBINED DECLARATION, POWER OF ATTORNEY AND PETITION  
(PAGE 2)

MUR-3490

Attorney's Docket No. \_\_\_\_\_

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Number	Country	Date of Filing (day, month, year)	Priority Claimed
9021253.1	United Kingdom	29 September 1990	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) (Filing Date) (Status) (patented, pending, abandoned)

(Application Serial No.) (Filing Date) (Status) (patented, pending, abandoned)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

PAUL F. PRESTIA

Registration No. 23,031

ALLAN RATNER

Registration No. 19,717

SEND CORRESPONDENCE TO:  LAW OFFICES OF Ratner & Prestia Suite 412 Leighton Building, 500 N.Gulph Road, P.O. Box 980, Valley Forge, Pennsylvania 19482	DIRECT TELEPHONE CALLS TO:  Paul F. Prestia Allan Ratner (215) 265 6666
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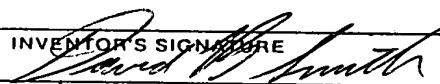
MUR-3491

**COMBINED DECLARATION, POWER OF ATTORNEY AND PETITION**  
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Attorney's Docket No. \_\_\_\_\_

I hereby petition for grant of a United States Letters Patent on this invention.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1. FULL NAME OF SOLE OR FIRST INVENTOR <u>DAVID BALFOUR SMITH</u>		INVENTOR'S SIGNATURE 	DATE 22nd March 1993
RESIDENCE		CITIZENSHIP British	
POST OFFICE ADDRESS East Neuk, Netherley, Stonehaven, Kincardineshire, AB3 2NQ			
2. FULL NAME OF SECOND JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE 	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
3. FULL NAME OF THIRD JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
4. FULL NAME OF FOURTH JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
5. FULL NAME OF FIFTH JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
6. FULL NAME OF SIXTH JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
7. FULL NAME OF SEVENTH JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
8. FULL NAME OF EIGHTH JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			

Applicant or Patentee: David B. Smith  
 Serial or Patent No.: PCT/GB91/01599 U.S. No. 08/030309  
 Filed or Issued: International Filing Date: 18 September 1991  
 For: TRANSMISSION OF DATA IN BOREHOLDS

Attorney's  
Docket No.:

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9 (f) and 1.27 (c)) — SMALL BUSINESS CONCERN

I hereby declare that I am

the owner of the small business concern identified below:  
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Metrol Technology Limited  
 ADDRESS OF CONCERN Unit 24, Kirkhill Place, Kirkhill Industrial Estate,  
 Dyce, ABERDEEN AB2 0GU

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9 (d), for purposes of paying reduced fees under section 41(a) and (b) of Title 25, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled "Transmission of Data in Boreholes"

by inventor(s)  
described in

the specification filed herewith  
 application serial no. PCT/GB91/01599, filed 18 September 1991  
 patent no. , issued

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9 (d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.27 (e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Compton Ross  
 TITLE OF PERSON OTHER THAN OWNER DIRECTOR  
 ADDRESS OF PERSON SIGNING 68 EARLSPARK DRIVE, BIELDSIDE  
 ABERDEEN AB1 9AH

SIGNATURE Compton Ross  DATE 22ND MARCH 1993